

## **REMARKS**

The Office Action dated February 7, 2007, has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto. Claims 1-2 and 5-15 are pending in this application. By this Amendment, claims 2, 5-6, 8-9 and 12 are amended. No new matter has been added. Reconsideration of the application is respectfully requested.

Applicants gratefully appreciate the indication that claims 1-2 and 5-15 contain allowable subject matter.

The Office Action rejects claims 2, 5, 6, 8-10 and 12-15 under 35 U.S.C. § 112, second paragraph. The rejection is respectfully traversed.

In particular, claims 2, 5, 8 and 12 are amended to overcome their rejection by reciting that the member is selected from the group consisting of the enumerated components. Furthermore, claims 6 and 9 are amended to remove the term "general".

Additionally, with respect to the statement in the Office Action that the subscript "n" is not defined, Applicants respectfully submit that the person skilled in the art of polymer chemistry would know that the term "n" generally represents any number of repeating structural units, and that the polymerization reaction product results in individual copolymer chains of varying lengths. Accordingly, the subscript "n" is well-defined in the art as being the symbol representing a repeating structural unit.

Also, with respect to the assertion in the Office Action that the term "copolymers" lacks antecedent basis, Applicants respectfully submit that the assertion in the Office Action that the expression "consisting of" limits the antibacterial polymer to homopolymers is incorrect because homopolymers are polymers that are formed from

only one type of monomer, while copolymers are polymers formed from at least two different monomers. Accordingly, a copolymer cannot be limited to a homopolymer, and independent claims 1 and 7, from which claims 6 and 9 depend, each recites an antibacterial polymer consisting of the reaction of two different monomers, which makes the antibacterial polymer a copolymer, not a homopolymer. Thus, independent claims 1 and 7 provide proper antecedent basis for the copolymers claimed in claims 6 and 9.


Finally, with respect to the assertion in the Office Action that it is unclear what other structural units the recited copolymers are to comprise when the Ar' moiety depicted in the structural units represents the diaminobenzoic acid, Applicants respectfully submit that a polymerization reaction involving monomers that have more than two functional groups available for polymerization may result in the formation of a number of different repeating units. Accordingly, various structural units encompassed by the copolymers are well-defined in the claims and in the Specification.

For at least these reasons, it is respectfully submitted that claims 2, 5, 6, 8-10 and 12-15 fulfill the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 026390-00010.**

Respectfully submitted,



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Attachment: Petition for Extension of Time (2 months)